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CUSTOMER NUMBER 25268

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Phillip Burwell et al. Attorney Docket No: CHEN0189
Serial No: 10/799,357 Group Art Unit: 2875
Filed: March 12, 2004 Examiner:
Title: LIGHT GENERATING DEVICE TO INTRAVASCULAR USE

PETITION TO REVIVE UNINTENTIONALLY ABANDONED
APPLICATION UNDER 37 CFR 1.135(b)

Bellevue, Washington 98004

February 3, 2005

TO THE COMMISSIONER FOR PATENTS:

Attention: Office of Petitions
Commissioner for Patents
Box DAC
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action (Notice to File Missing Parts) mailed on May 28, 2004, which set a two-month period for response. The abandonment date of this application is November 29, 2004.

Applicant hereby petitions for revival of this application.

1. Petition Fee

The petition fee for reviving an unintentionally abandoned application of \$750 (small entity) is included herewith in check No. 8000.

X Small entity status has previously been established.

X Applicant claims small entity status.

2. Proposed Response and/or Fee

The proposed response and/or fee to the above-noted Office Action (Notice to File Missing Parts) in the form of missing parts transmittal, and payment of the filing and surcharge fees, is included herewith.

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750.00 DP

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1 3. Request for Extension of Time

2 A small entity, 3-month Request for Extension of Time to extend the period for response to
3 November 28, 2004 is hereby requested. The 3-month small entity extension of time fee of \$510 is
4 included herewith in check No. \$000.

5 4. Additional Fee Charges or Credit for Overpayment

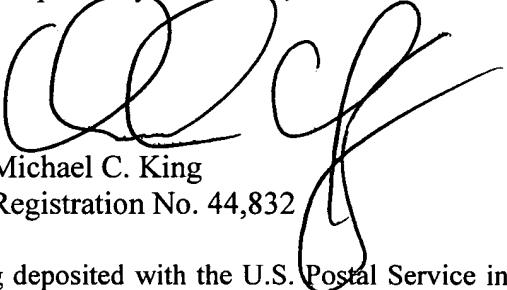
6 Please charge any additional fees or credit any overpayment to Deposit Account
7 No. 01-1940. A copy of this sheet is enclosed.

8 5. Verified Statement

9 The entire delay in filing the required reply, causing the abandonment of the above-identified
10 patent application, from the due date for the reply until the filing of a grantable petition pursuant to
11 37 C.F.R. § 1.137(b) was unintentional.

12 I hereby declare that all statements made herein of my own knowledge are true and that all
13 statements made on information and belief are believed to be true; and further that these statements
14 were made with the knowledge that willful false statements and the like so made are punishable by
15 fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that
16 such willful false statements may jeopardize the validity of the application, any patent issuing
17 thereon, or any patent to which this verified statement is directed.

18
19 Respectfully submitted,

20 
21
22 Michael C. King
23 Registration No. 44,832

24 I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed
25 envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents, P.O.
26 Box 1450, Alexandria, Virginia 22313-1450, on February 3, 2005.

27 Date: February 3, 2005

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